

**REMARKS**

Initially, the Applicants wish to thank the Examiner for the careful consideration given to this case.

In a Final Office Action, the Examiner rejected claims 1, 3-7, 10, 12-16, 19 and 21-25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,470,378 to *Tracton et al.* in view of U.S. Patent No. 6,584,507 to *Bradley, et al.* Applicants respectfully traverse this rejection in light of the following remarks.

The combination of *Tracton et al.* and *Bradley et al.* fail to disclose all of the limitations of claims 1 and 10. Particularly, the combination of *Tracton et al.* and *Bradley et al.* fail to disclose the limitation of **“storing a certification file in said client computer only if said client computer is determined to have said sufficient performance capability,”** said certification file being accessible by said server,” as required by claims 1 and 10.

The Examiner states that *Tracton et al.* fails to expressly disclose the limitation of **“only storing the certification file if the client computer is determined to have sufficient performance capability.”** *Bradley et al.* does not overcome this deficiency of *Tracton et al.*

*Bradley et al.* states that a connection file is associated with a 3<sup>rd</sup>-party application. Col. 7, ll. 43-45. “The Certification tester 130 may comprise a Certification Web Site 131, and an archive and reporting database 132. The Certification Web Site 131 carries out performance certification and testing of a third party application.” Col. 7, ll. 50-53. “The purpose of the Certification tester 130 is to impartially determine whether a 3<sup>rd</sup>-party application, such as application 123, operates and interacts properly and successfully with **the network management system.**” Col. 7, ll. 55-58. “Once the Connection File 122 is created, the developer may request preliminary (‘Phase I’) verification of the external application program 123. For example, the developer may connect to Company Site 110 and upload the Connection

File 122 to Web Server 112.” Col. 8, ll. 12-16. “After phase I verification, the developer may choose to continue the certification process. For example, Connection File 119 is sent to a certification tester 130 by uploading the connection file to Web Site 131.” Col. 8, ll. 30-33. “When a Connection File 122 passes testing at the Certification Tester 130, the Certification Tester notifies the Company Site 110.” Col. 8, ll. 46-48.

At no time during the certification process does any part of the certification process determine whether a client computer has sufficient performance capability, as required by claims 1 and 10. In fact, the certification process never accesses a client computer during the certification process. The certification process merely determines whether the 3<sup>rd</sup>-party application can interact with a network management system. In doing so, either the 3<sup>rd</sup>-party application or a URL linking to the 3<sup>rd</sup>-party application is transmitted to a Company Site and a Certification tester. However, no information is ever transmitted to or from the Customer Installation until after the certification process completes. In particular, no information is ever transmitted to or from a client computer at the Customer Installation during the certification process. More particularly, no performance capabilities of a client computer at the Customer Installation are ever transmitted.

Moreover, the certification process is not performed with respect to a client computer. Instead, the certification process is performed with respect to a network management system. As described in *Bradley et al.*, “The network management system is a software program, or a combination of hardware and software, that can interrogate the network, present management information, and carry out changes in the network.” Col. 1, ll. 25-28. In other words, the network management system is not a client computer. As such, no performance capabilities of a client computer could possibly be determined by such interaction.

Furthermore, one of skill in the art would not be motivated to combine *Bradley et al.* with *Tracton et al.* *Tracton et al.* deals with an interaction between a server computer, a client computer and a registry. In particular, *Tracton et al.* stores a client identifier on a client computer as part of the process of determining whether a client computer can run a computer application. *Tracton et al.* does not teach or suggest certification of a network or a network management system. As such, one of skill in the art would not be motivated to look at *Bradley et al.* to resolve the deficiencies of *Tracton et al.* since *Bradley et al.* only deals with certification of a network management system. In contrast, *Bradley et al.* does not teach or suggest certification of a client computer. As such, one of skill in the art would not be motivated to look at *Tracton et al.* given knowledge of *Bradley et al.* since *Tracton et al.* only deals with certification of a client computer. Thus, one of skill in the art would have no motivation to combine *Tracton et al.* and *Bradley et al.*

Accordingly, the combination of *Tracton et al.* and *Bradley et al.* does not teach or suggest the limitation of “storing a certification file in said client computer only if said client computer is determined to have said sufficient performance capability, said certification file being accessible by said server.” Moreover, one of skill in the art would not be motivated to combine *Tracton et al.* and *Bradley et al.* For at least these reasons, claim 1 and claim 10 are allowable over the prior art cited by the Examiner.

Likewise, the combination of *Tracton et al.* and *Bradley et al.* fail to disclose all of the limitations of claim 19. Particularly, the combination of *Tracton et al.* and *Bradley et al.* fail to disclose the limitation of “said server further configured...to store a certification file in said client computer only if said client computer is determined to have said sufficient

performance capability, said certification file being accessible by said server," as required by claim 19.

As stated above, the Examiner correctly states that *Tracton et al.* fails to expressly disclose the limitation of "only storing the certification file in the client computer is determined to have sufficient performance capability." *Bradley et al.* does not overcome this deficiency of *Tracton et al.* as stated above in reference to claims 1 and 10. In addition, one of skill in the art would not be motivated to combine *Tracton et al.* and *Bradley et al.* for the reasons stated above in reference to claims 1 and 10. For at least these reasons, claim 19 is likewise allowable over the prior art cited by the Examiner.

Since claims 3-7 depend from and incorporate all of the limitations of allowable independent claim 1, claims 12-16 depend from and incorporate all of the limitations of allowable independent claim 10, and claims 21-25 depend from and incorporate all of the limitations of allowable independent claim 19, Applicants request that the Examiner withdraw the rejection of claims 3-7, 12-16 and 21-25.

The Examiner has rejected claims 8, 9, 17, 18, 26 and 27 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,470,378 to *Tracton et al.* in view of U.S. Patent No. 6,584,507 to *Bradley et al.*, and further in view of U.S. Patent No. 5,732,218 to *Bland et al.* As stated above in reference to claims 1, 10 and 19, neither *Tracton et al.* nor *Bradley et al.*, alone or in combination, teach or suggest the limitation of "storing a certification file in said client computer only if said client computer is determined to have said sufficient performance capability, said certification file being accessible by said server." *Bland et al.* does not overcome this deficiency. *Bland et al.* merely teaches gathering data on each of a server machine and a client machine and reporting the data gathered on one machine to the other

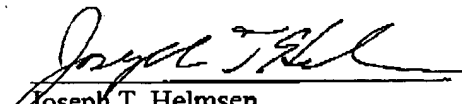
machine. Indeed, *Bland et al.* does not teach the storing or even the presence of a certification file.

Accordingly, since claims 8 and 9 depend from and incorporate all of the limitations of allowable independent claim 1, claims 17 and 18 depend from and incorporate all of the limitations of allowable independent claim 10, and claims 26 and 27 depend from and incorporate all of the limitations of allowable independent claim 19, Applicants request that the Examiner withdraw the rejection of claims 8, 9, 17, 18, 26 and 27.

**CONCLUSION**

Applicants submit that the amendment and response set forth herein is sufficient to overcome the rejections set forth by the Examiner. Accordingly, allowance of claims 1, 3-10, 12-19 and 21-27 is respectfully requested. Should the Examiner have any questions regarding these remarks, the Examiner is invited to initiate a telephone conference with the undersigned in advance of the expiration of the six-month response period.

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